

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

AIR FORCE OFFICER,

Plaintiff,

v.

Civil Action No. 5:22-cv-00009-TES

LLOYD J. AUSTIN, III, individually and in  
his official capacity as Secretary of Defense;  
FRANK KENDALL, III, individually and in  
his official capacity as Secretary of the Air  
Force; and ROBERT I. MILLER, individually  
and in his official capacity as Surgeon  
General of the Air Force,

Defendants.

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**MOTION TO STRIKE PLAINTIFF’S AMENDED COMPLAINT**

Defendants, by and through the United States Attorney for the Middle District of Georgia, hereby move the Court to strike Plaintiff’s Amended Complaint (ECF No. 56) pursuant to Federal Rule of Civil Procedure 12(f) because the Amended Complaint is improper under Federal Rule of Civil Procedure 15(a). Further, leave to amend should be denied under Federal Rule of Civil Procedure 15(a)(2) because the Amended Complaint is futile.

This 10th day of March, 2022.

PETER D. LEARY  
UNITED STATES ATTORNEY

By: s/ Lance Simon  
LANCE SIMON  
ASSISTANT UNITED STATES ATTORNEY  
Georgia Bar No. 447643  
ROGER C. GRANTHAM, JR.  
ASSISTANT UNITED STATES ATTORNEY  
Georgia Bar No. 860338

United States Attorney's Office  
Middle District of Georgia  
P. O. Box 1702  
Macon, GA 31202  
Phone: (478) 621-2663  
Fax: (478) 621-2737  
Email: Lance.Simon@usdoj.gov  
Roger.Grantham@usdoj.gov